

TIMOTHY R. TITOLO, ESQ.
Nevada Bar No. 3617
TITOLO LAW OFFICE
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
Phone: (702) 869-5100
Email: tim@titololaw.com

Attorney for Plaintiffs

CHARLES A. MICHALEK, ESQ.
Nevada Bar No. 5721
ROGERS, MASTRANGELO, CARVALHO & MITCHELL
700 South Third Street
Las Vegas, Nevada 89101
Phone: (702) 383-3400
Email: cmichalek@rmcmlaw.com

Attorney for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PETER DELVECCHIA, individually and as
next friend of A.D., a Minor,

Plaintiffs,

v.

FRONTIER AIRLINES, INC.,
SCOTT WARREN, and REX SHUPE,

Defendants.

Case No.: 2:19-cv-01322-KJD-DJA

**JOINT REQUEST FOR PRETRIAL
CONFERENCE**

LR 16-2

Plaintiffs Peter DelVecchia, individually and as next friend of A.D., a minor (collectively “Plaintiffs”), and Defendants Frontier Airlines, Inc. (“Frontier”), Scott Warren, and Rex Shupe (collectively “Defendants”), each by their undersigned counsel, hereby file this request for a Pretrial Conference pursuant to Local Rule LR 16-2. The parties would prefer that the conference be held via Zoom conference, in light of the ongoing pandemic and the locations of lead counsel outside of the District. In support of this joint request, the parties state that there has been considerable delay in the progress of this

1 case, mostly due to travel restrictions necessitated by the pandemic, but also due to some unresolved
2 matters relating to pleadings and discovery. The parties believe that a pretrial conference would assist the
3 parties and the Court in creating a timeline for the resolution of those outstanding matters and in defining
4 any necessary proceedings for their resolution, such as a hearing with a representative of the Transportation
5 Security Administration (TSA) to determine whether TSA's demands for a specialized Protective Order
6 incorporating certain procedural elements relative to Sensitive Security Information (SSI) comport with
7 the Court's previous Order concerning access to SSI by Plaintiff Peter DelVecchia and Attorney John
8 McKay. For the Court's reference, the matters unresolved at this time are as follows:

- 9
10 • Whether specific language and procedures demanded by TSA for the release of SSI to
11 DelVecchia and McKay comport with the Court's April 1, 2020 Order (ECF No. 76)
12 pursuant to Section 525(d) of the Department of Homeland Security Appropriations Act of
13 2007, Pub. L. No. 109-295, 120 Stat. 1355, 1382 (October 4, 2006)(this matter has not yet
14 been briefed, as TSA is not a party to this case);
- 15 • Defendants' Partial Motion to Dismiss Counts III and VII of the Second Amended
16 Complaint (ECF No. 108), which has been fully briefed since July 14, 2020;
- 17 • Defendants' Motion to Strike the Second Amended Complaint (ECF No. 107), which has
18 been fully briefed since July 13, 2020;
- 19 • Plaintiffs' Request (ECF No. 105) pursuant to LR IB 3-1(a) for leave to file a reply to
20 Defendants' Response (ECF No. 104) to Plaintiffs' Rule 72(a) Objections (ECF No. 88) to
21 certain parts of Magistrate Judge Albregts' May 8, 2020 Order on Plaintiffs' Second
22 Amended Motion to Compel Discovery (ECF No. 83), which Request was filed on June 5,
23 2020; and

- Plaintiffs' Rule 72(a) Objections (ECF No. 88) to certain parts of Magistrate Judge Albregts' May 8, 2020 Order on Plaintiffs' Second Amended Motion to Compel Discovery (ECF No. 83), which, except for the aforementioned outstanding Request for leave to file a reply, have been fully briefed since June 5, 2020.

The parties respectfully request that a Pretrial Conference be held in this case, preferably via Zoom conference, at the earliest opportunity that is convenient for the Court.

DATED this 15th day of March, 2021

Respectfully submitted,

/s/John D. McKay

John D. McKay (admitted *pro hac vice*)
PARK AVENUE LAW LLC
127 West Fairbanks Avenue, No. 519
Winter Park, Florida 32789
Phone: (800) 391-3654
Email: johndmckayatty@gmail.com

Timothy R. Titolo (Nevada Bar. No. 3617)
TITOLO LAW OFFICE
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
Phone: (702) 869-5100
Email: tim@titololaw.com

***Attorneys for Plaintiffs Peter DelVecchia &
A.D., a Minor***

/s/Matthew D. Martin

Brian T. Maye (admitted *pro hac vice*)
Tara Shelke (admitted *pro hac vice*)
Matthew D. Martin (admitted *pro hac vice*)
ADLER MURPHY & McQUILLEN LLP
20 South Clark Street, Suite 2500

Chicago, Illinois 60603
Phone: (312) 345-0700
Email: bmaye@amm-law.com
tshelke@amm-law.com
mmartin@amm-law.com

Charles A. Michalek (Nevada Bar No. 5721)
ROGERS, MASTRANGELO, CARVALHO &
MITCHEL
700 South Third Street
Las Vegas, Nevada 89101
Phone: (702) 383-3400
Email: cmichalek@rmcmlaw.com

*Attorneys for Defendants Frontier Airlines, Inc.,
Scott Warren & Rex Shupe*

CERTIFICATE OF SERVICE

Pursuant to LR IC 4-1, I hereby certify that on the 15th day of March, 2021, the foregoing **JOINT REQUEST FOR PRETRIAL CONFERENCE** was served upon the following counsel of record *by email only*:

Brian T. Maye
Tara Shelke
Matthew D. Martin
ADLER MURPHY & McQUILLEN LLP
20 South Clark Street, Suite 2500
Chicago, Illinois 60603
Phone: (312) 345-0700
Email: bmaye@amm-law.com
tshelke@amm-law.com
mmartin@amm-law.com

Charles A. Michalek
ROGERS, MASTRANGELO, CARVALHO & MITCHEL
700 South Third Street
Las Vegas, Nevada 89101
Email: cmichalek@rmcmlaw.com

Attorneys for Defendants Frontier Airlines, Inc., Scott Warren & Rex Shupe

/s/John D. McKay